

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD  
ON WEDNESDAY, MAY 11, 2022 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.**

**MAYOR:** Louie A. Trujillo

**COUNCILORS:** David G. Romero  
Barbara Casey  
Michael L. Montoya - *Absent*  
David Ulibarri

**ALSO PRESENT:** Leo Maestas, City Manager  
Casandra Fresquez, City Clerk  
Scott Aaron, City Attorney  
Antonio Salazar, Sergeant at Arms

**CALL TO ORDER**

Mayor Trujillo called the meeting to order at 5:31 pm.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Mayor Trujillo asked for a moment of silence and thanksgiving for all the firefighters that have been on the frontline of the horrible fire. Mayor Trujillo thanked them for protecting the City the way they did and asked to pray for our neighbors up north in Mora and Chacon. Mayor Trujillo asked that no lives be lost or injuries occur during this battle and to continue to protect our City as the winds

and the fire have been relentless. Mayor Trujillo thanked all the emergency management staff and all first responders.

### **APPROVAL OF AGENDA**

City Clerk Fresquez recommended amending the agenda to remove the presentation by O’rourke Media Group; they were unable to attend due to the fire situation in our community.

Councilor Romero made a motion to approve the agenda as amended. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |                |     |
|-----------------|-----|----------------|-----|
| Barbara Casey   | Yes | David Ulibarri | Yes |
| David G. Romero | Yes |                |     |

City Clerk Fresquez advised the motion carried.

### **PUBLIC INPUT**

City Clerk Fresquez advised there was no public input.

### **MAYOR’S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS**

- Approval to appoint Robert Witters to the Finance Committee

Councilor Romero made a motion to approve the appointment of Robert Witters to the Finance Committee. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |               |     |
|-----------------|-----|---------------|-----|
| David Ulibarri  | Yes | Barbara Casey | Yes |
| David G. Romero | Yes |               |     |

City Clerk Fresquez advised the motion carried.

- City Clerk Fresquez read two proclamations for Civil Emergency and Extreme Drought Conditions and Opposition to Closing VA Clinics in New Mexico.

Mayor Trujillo asked City Clerk Fresquez to send the proclamation for the VA Clinics to the Washington Delegates.

### **COUNCILORS' REPORTS**

Councilor Casey thanked everyone who has been working diligently during this very challenging month, she knows everyone has been stressed and overworked but everyone has done an outstanding job of keeping up with everything. Councilor Casey recognized Utilities Director Maria Gilvarry for working long hours, for always being one step ahead and always being prepared. Councilor Casey also thanked Interim Fire Chief Spann, OEM Dennis Esquibel, Police Chief Salazar, all the employees, City Manager Maestas, City Clerk Fresquez and Deputy Clerk Sena. Councilor Casey recognized all the staff who have been working very hard to keep everything going and to keep the community informed on what is happening. Councilor Casey thanked Mayor Trujillo and all the Councilors who have been involved in everything going on and advised it's necessary that they continue to work together so they can get through this and start to rebuild.

Councilor Romero also thanked everyone for putting in the extra hours, and considered Interim Fire Chief Spann as Fire Chief for doing a great job. Councilor Romero thanked everyone for going above and beyond during these times and recognized Utilities Director Gilvarry as a leader for all she has done by preparing the thinning of trees at the Water Treatment Plant to keep it protected. Councilor Romero advised in times like this, it brings out the best in everyone. Councilor Romero advised he was proud to say they have a good team and a good community and to pray for our neighbors up north and down south.

Councilor Ulibarri thanked his colleagues, the staff for all they've done to keep the City water safe and also thanked the firefighters that are on the frontlines.

### **CITY MANAGER'S REPORT**

Mayor Trujillo thanked City Manager Maestas for all the work he's done.

City Manager Maestas advised they have a good team that communicates well together and they jump into action when they need to and will keep working hard for the City of Las Vegas.

City Manager Maestas gave a report on the following:



- Preliminary budgets will be submitted at the beginning of June and the final will be taken to Mayor and Council in July and then submitted to DFA by the end of July.
- Welcomed new employees to the City of Las Vegas
- Project updates
  - Romero/Salazar Streets
  - Great Blocks/East Lincoln Project
  - Hanna Park Effluent Line
  - El Creston Park Equipment
  - South Pacific Park Equipment
  - Lincoln Park Equipment
  - Hot Springs Blvd. Utility Work
  - Plaza/Bridge St. Project completed by May 31st
  - Camino De Las Escuelas demo
  - North Gonzales water line completed
    - Mill and Overlay starting at Bernalillo St. going north
  - Farmers Market (purchase new windows)
- Hermit's Peak/Calf Canyon Fire Update

Utilities Director Gilvarry advised she was happy to see that the watershed did not have extensive burns as they thought and they can work with those burns.

Utilities Director Gilvarry explained that the vegetation was still healthy and would allow for the ash that comes from the mountain to be retained by the vegetation and floodplain area. Utilities Director Gilvarry advised a detailed assessment will be needed so the engineers and consultants can help develop a detailed response along with the National Forest Service to address the ash and debris that is going to potentially impact the river and water source. Utilities Director Gilvarry advised they will be working with consultants and engineers not just within the City but from Tierra Montes, NRCS, FEMA, State/National Forestry, Ruidoso, Raton and Colfax who have been through something somewhat similar.



Utilities Director Gilvarry advised through multiple ways they will make sure there is water for the community. Utilities Director Gilvarry advised both Bradner and Peterson reservoirs are full and water is being put into Storrie, they are taking most of the water off from the river due to the Storrie Project Water Users Association, the Acequias and the City working together to provide all the water to Storrie through the City's intake for the community. Utilities Director Gilvarry advised Storrie and the Acequias agreed to no longer send any effluent water out of Storrie so the firefighters and helicopter could use it or the City could treat it for human consumption. Utilities Director Gilvarry advised they are also looking at bringing the Taylor Wells online depending on the timeframe and the cost to do that. Utilities Director Gilvarry advised they are also looking at the Highlands Well and a Recycle Lagoon at the Water Treatment Plant to see if it could benefit the community.

Utilities Director Gilvarry discussed projects that have been presented to the Legislators, Senators and Representatives for assistance. Utilities Director Gilvarry went over a PSA from the Environment Department and the Department of Health regarding a recommendation for mutual domestic wells that were impacted by the fire or had lost power to test their water, the City of Las Vegas was not part of that advisory because we never lost power and always maintained the quality and treatment of the water to EPA standards.

City Manager Maestas advised the watershed does not belong to the City of Las Vegas, it is owned by private owners and the U.S. Forest Service.

Utilities Director Gilvarry advised there was currently 232 million gallons of raw water in storage, which is about 74% of water, which is about 4-5 months of storage in the reservoirs but they are still taking about 2 ½ - 3 days of water off the river everyday to add to storage.

Mayor Trujillo thanked Utilities Director Gilvarry for all her hard work.

OEM Dennis Esquibel thanked Mayor and Council for their strong leadership and discussed the Local Emergency Operation Center to coordinate resources for those individuals or entities that were impacted by the fire. Mr. Esquibel advised that FEMA was there to help.

Mayor Trujillo thanked Mr. Esquibel for all the work he's done and for coordinating all the services that are available.

Councilor Romero also thanked Mr. Esquibel for all he's done and advised at the end of the day everything must go through Mr. Esquibel and the Operation Center first to keep track of any donations.

### **PRESENTATIONS**

City Clerk Fresquez advised Mr. John Spencer from the Tree Board was not there.

Mayor Trujillo advised he was dealing with issues from the fire and evacuations and would not be there to present.

### **APPROVAL OF MINUTES**

Councilor Casey made a motion to approve the minutes for April 13th and April 20, 2022, with minor errors that were corrected. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |                |     |
|-----------------|-----|----------------|-----|
| David G. Romero | Yes | David Ulibarri | Yes |
| Barbara Casey   | Yes |                |     |

City Clerk Fresquez advised the motion carried.

### **BUSINESS ITEMS**

1. Request approval of encroachment agreement between the City of Las Vegas and Twelfth Street Compound LLC, a New Mexico Limited Liability Company.

City Attorney Scott Aaron discussed the piece of property on the corner of 12th Street and Rosenwald.

Councilor Romero asked about public safety being affected.

City Attorney Aaron advised as far as he knew there were no lines in that portion of the encroachment agreement, so public safety would not be affected.

Councilor Casey asked for a point of personal privilege to discuss knowing Pam and G Doyle Daves for a long time and that it made her sad knowing they would be leaving Las Vegas.

Councilor Casey made a motion to approve the encroachment agreement between the City of Las Vegas and Twelfth Street Compound LLC, a New Mexico Limited Liability Company. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |               |     |
|-----------------|-----|---------------|-----|
| David Ulibarri  | Yes | Barbara Casey | Yes |
| David G. Romero | Yes |               |     |

City Clerk Fresquez advised the motion carried.

2. Request approval of Resolution 22-23 establishing a timeline and procedure for filling the newly created fifth City Council position.

City Attorney Aaron advised the resolution would allow the electorate to fill the seat at the upcoming election and the position would be at large.

Councilor Casey asked for City Attorney Aaron to clarify by saying at the upcoming election, he meant at the next regularly scheduled City election.

City Attorney Aaron advised that yes he meant at the next regularly scheduled City election.

Councilor Casey made a motion to approve resolution 22-23. Councilor Romero seconded the motion.

Resolution 22-23 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO**  
**Resolution No. 22-23**

**A RESOLUTION ESTABLISHING A TIMELINE AND PROCEDURE FOR FILLING THE NEWLY CREATED FIFTH CITY COUNCIL POSITION**



WHEREAS, the City of Las Vegas ("City") recently held an election where the voters approved an amendment to the City's Charter which adds a fifth city council member elected at-large within the City and who is not elected to represent a specific council district but rather to represent all City residents; and

WHEREAS, the City's residents approved the fifth councilor position and are best positioned to fill the position at the next regularly scheduled City election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are incorporated herein by reference and the Governing Body shall put the newly created fifth councilor position on the next regularly scheduled City election for the purpose of filling the newly created position.

APPROVED AND ADOPTED this \_\_\_\_ day of May 2022.

\_\_\_\_\_  
Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                |     |                 |     |
|----------------|-----|-----------------|-----|
| Barbara Casey  | Yes | David G. Romero | Yes |
| David Ulibarri | Yes |                 |     |

City Clerk Fresquez advised the motion carried.

3. Request approval of Addendum #3 to Contract #3555-19 with GGH Wagon Mound, LLC for disposal of solid waste.

Utilities Director Gilvarry advised GGH has been their disposal site for many years. Utilities Director Gilvarry advised they have stayed open during the weekend for the past couple of weeks to accept some of the waste collected to minimize fire dangers. Utilities Director Gilvarry advised addendum #3 would be the last agreement from June 2022 - June 2023, after that they would have to go out for RFB or RFP at the end of the year.

Councilor Casey asked how much they pay per month.

Utilities Director Gilvarry advised the price varies based on the weight they take in but roughly about 30,000 a month but expects the month of May to be higher.

Councilor Romero made a motion to approve Addendum #3 to Contract #3555-19 with GGH Wagon Mound, LLC for disposal of solid waste. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |               |     |
|-----------------|-----|---------------|-----|
| David Ulibarri  | Yes | Barbara Casey | Yes |
| David G. Romero | Yes |               |     |

City Clerk Fresquez advised the motion carried.

4. Request approval to reject bids received for RFB #2022-24 for the Solid Waste transfer station facility drainage improvements project.

Utilities Director Gilvarry advised the bid was to fix some grating/drainage problems to prevent any runoff onto the scale but it was a lot higher than the engineers estimate as well as the funding came in higher than what was budgeted for the project. Utilities Director Gilvarry recommended rejecting all bids to give them time to get additional funding, adding more to their budget for next year or possibly partitioning the project into smaller sections. Utilities Director Gilvarry advised they would rebid it at a future date.

Councilor Casey made a motion to approve the rejection of bids received for RFB #2022-24 for the Solid Waste transfer station facility drainage improvements project. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |               |     |
|-----------------|-----|---------------|-----|
| David G. Romero | Yes | Barbara Casey | Yes |
| David Ulibarri  | Yes |               |     |

City Clerk Fresquez advised the motion carried.

5. Request approval of Resolution 22-24, update of signature authority on the City of Las Vegas Wells Fargo bank accounts.

Deputy Finance Director Dominic Chavez advised the signature authority for two Wells Fargo accounts needed to be changed from Jesus Baquera to add Dominic Chavez as the new signature authority.

Councilor Romero made a motion to approve resolution 22-24. Councilor Casey seconded the motion.

Resolution 22-24 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO  
Resolution No. 22-24**

**A RESOLUTION TO UPDATE SIGNATURE AUTHORITY ON ACCOUNTS WITH WELLS FARGO BANK**

**WHEREAS**, the Governing Body of Las Vegas has developed a request to update signature authority on accounts with Wells Fargo Bank; and

**WHEREAS**, said request to update signature authority on accounts with Wells Fargo Bank through cooperation with all user departments, elected officials and other department supervisors, please see attached authorization certificate and,

**WHEREAS**, the City of Las Vegas Finance Department is requesting the update of signature authority on the Wells Fargo Bank accounts. Update will include the removal of Jesus Baquera, Finance Director and add Dominic Chavez, Deputy Finance Director and,

**WHEREAS**, the Governing Body finds that the request to update signature authority should be approved as it meets the requirements as currently determined for fiscal year 2021-2022 and,

**NOW, THEREFORE BE IT RESOLVED** the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned request to update signature authority.

ACCEPTED AND APPROVED this \_\_\_\_ day of May 2022.

\_\_\_\_\_  
Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri

Yes

Barbara Casey

Yes



David G. Romero

Yes

City Clerk Fresquez advised the motion carried.

6. Request approval of Resolution 22-25, a budget adjustment for the 2021-2022 fiscal year.

Deputy Finance Director Chavez advised the BAR for fund 217 was previously done on resolution 21-44, which should have never taken place. Deputy Finance Director Chavez advised it was repealed and replaced with resolution 22-07 and was still incorrect.

Mayor Trujillo asked if he knew why it was done that way.

Deputy Finance Director Chavez advised he wasn't sure but this resolution would correct the previous mistakes.

Councilor Casey made a motion to approve resolution 22-25. Councilor Ulibarri seconded the motion.

Resolution 22-25 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO  
Resolution No. 22-25**

**A RESOLUTION TO MAKE BUDGET ADJUSTMENT FOR THE 2021-2022 FISCAL YEAR**

**WHEREAS**, the Governing Body of Las Vegas has developed a budget adjustment request for fiscal year 2021-22; and

**WHEREAS**, said budget was developed on the basis of increases in revenues, expenditures and transfer (in) out through cooperation with all user departments, elected officials and other department supervisors. Please see attached schedule: and,

**WHEREAS**, the City of Las Vegas is in need of making a budget adjustment in the 2021-2022 fiscal Year budget to include a revenue and expense increase to Fund 217 Legislative Appropriations in the amount of \$30,372 and,

**WHEREAS**, the Governing Body finds that the budget adjustment request should be as it meets the requirements as currently determined for fiscal year 2021-22, and,

**NOW, THEREFORE BE IT RESOLVED** the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned budget adjustment request and respectfully request approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this \_\_\_\_ day of May 2022.

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Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |                |     |
|-----------------|-----|----------------|-----|
| David G. Romero | Yes | David Ulibarri | Yes |
| Barbara Casey   | Yes |                |     |

City Clerk Fresquez advised the motion carried.

Councilor Romero thanked Mr. Chavez for stepping up and addressing any issues.

7. Request approval to Publish Ordinance 22-03, An Ordinance to amend the Code of the City of Las Vegas by adding a new Chapter 15, entitled "Elections". This Ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City of Las Vegas home rule powers.

City Clerk Fresquez discussed the Local Election Act being passed July 2018, which repealed the Municipal Election code that municipalities followed. City Clerk Fresquez discussed the option for municipalities to opt-in to the Local Election Act, which the County administers. City Clerk Fresquez discussed the options whether the terms of office for current office holders be lengthened or shortened. City Clerk Fresquez advised option 1 would shorten the term of office to the end of December 2023 and option 2 would lengthen the term of office to the end of December 2025.

Councilor Romero thanked City Clerk Fresquez and advised they tried to bring the option of opting-in to Mayor and Council. Councilor Romero advised it would be cost saving and it was a state statute that was enacted in 2018, the school boards at that time did the same thing and it's not something only the City of Las Vegas would be doing.

Councilor Casey advised it was a unilateral decision made by the former Mayor and Council did not agree with it but were ignored.

Councilor Romero advised the school boards did it and they extended their terms, so it's not something out of the ordinary. Councilor Romero advised in order to increase voter turnout they want all non-partisan elections to be on one election.

City Clerk Fresquez advised the Municipal Elected Officials would be first on the ballot.

Councilor Casey made a motion to approve to publish ordinance 22-03, with option #2. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

|                 |     |               |     |
|-----------------|-----|---------------|-----|
| David Ulibarri  | Yes | Barbara Casey | Yes |
| David G. Romero | Yes |               |     |

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez advised she would bring the ordinance back to Mayor and Council after publication for adoption in June.

8. Request approval of contract between Plaza Hotel LVNM LLC and the City of Las Vegas for the purchase of the Valencia Street parking behind the Hotel.

City Manager Maestas advised the topic came up in July 2021 regarding selling about fourteen parking spots behind the Plaza Hotel, nothing was done during that time. City Manager Maestas advised the topic resurfaced and would like to see where Mayor and Council want to go with it.

Councilor Casey made a motion to approve the contract between Plaza Hotel LVNM LLC and the City of Las Vegas for the purchase of the Valencia Street parking behind the Hotel, and advised it's already utilized by hotel staff.



Councilor Romero advised with no disrespect towards Mr. Affledt, there are issues with not enough parking at the Plaza, and he doesn't see selling property to only be utilized by the Plaza. Councilor Romero advised those parking spaces should be public parking spaces.

Councilor Ulibarri also mentioned the issues of not having enough parking and not wanting to sell the property.

Councilor Casey asked Mr. Affledt how many parking spaces are in the area.

Mr. Affledt advised Las Vegas does not have sufficient parking in the historic district area and described the number of rooms at the Plaza Hotel and the lack of parking. Mr. Affledt advised that is the reason why a hotel hasn't been built in the historic district area in a hundred years. Mr. Affledt advised they have always had a good working relationship with the church and adjoining property owners to share the parking. Mr. Affledt discussed the acquired small pieces of land purchased from the City at the Castaneda Hotel due to the lack of parking. Mr. Affledt advised that parking at the Castaneda Hotel is used by everyone in the area. Mr. Affledt discussed the condition of the road on Valencia Street and the want to improve the parking area.

Mayor Trujillo asked if that area would be allowed for public parking.

Mr. Affledt advised yes, public parking would be allowed and planned on making the northside on Valencia St., safer by adding a new entrance off of Valencia St.

Mayor Trujillo advised there was a motion on the floor and asked for a second. There was no second, therefore the motion died.

### **EXECUTIVE SESSION**

There was no need for executive session.

### **ADJOURN**

Councilor Casey made a motion to adjourn. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri  
David G. Romero

Yes  
Yes

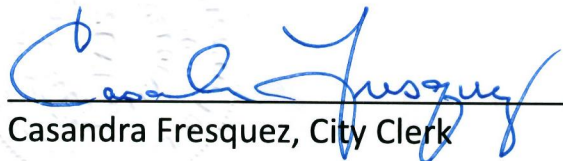
Barbara Casey      Yes

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 6:40 pm.

  
\_\_\_\_\_  
Mayor Louie A. Trujillo

ATTEST:

  
\_\_\_\_\_  
Casandra Fresquez, City Clerk